



United States Courts for the Ninth Circuit

# Public Information Office

David Madden, Manager • (415) 355-8930 • (415) 355-8901 Fax • [dmadden@ce9.uscourts.gov](mailto:dmadden@ce9.uscourts.gov)

## NEWS RELEASE

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David Madden (415) 355-8930

## **Ninth Circuit Judge Marsha S. Berzon Receives ABA's Margaret Brent Award**

SAN FRANCISCO – Circuit Judge Marsha S. Berzon of the United States Court of Appeals for the Ninth Circuit was recently honored by the American Bar Association for her professional accomplishments and efforts to assure fair and equitable treatment of women in the workplace.

Judge Berzon, 62, was selected by the ABA Commission on Women in the Profession to receive the prestigious 2007 Margaret Brent Women Lawyers of Achievement Award, which recognizes professional excellence, influence on other women in the profession, and leadership in expanding the opportunities available to women practicing law. She received the award at a luncheon banquet Sunday, August 12, during the ABA's annual meeting in San Francisco.

In selecting Judge Berzon, the ABA Commission noted that she was among the first women to serve as law clerks to federal judges; helped expand opportunities for women lawyers practicing labor law; had a prominent role in the passage of national legislation advancing the interests of women in the workplace; and co-authored an important Ninth Circuit opinion, later affirmed by the Supreme Court of the United States, permitting suits against states over family and medical leave.

A Cincinnati native, Judge Berzon received her B.A. in 1966 from Radcliffe College, and her J.D. in 1973 from the University of California at Berkeley Boalt Hall School of Law. She clerked for Ninth Circuit Judge James R. Browning from 1973 to 1974, while caring for an infant son, then went on to become the first woman law clerk for Supreme Court Justice William J. Brennan, Jr., from 1974 to 1975.

Upon entering private practice, she went into labor law, representing unions at a time when very few women practiced in that area. She represented the AFL-CIO coalition

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95 Seventh St. P.O. Box 193939 San Francisco CA 94119-3939

of labor organizations and was the first woman to appear on behalf of the national labor movement before the Supreme Court. Her skills in representing largely male unions is credited with opening the door for women to serve as union attorneys.

She later worked with groups of women's rights attorneys to draft and lobby for passage of the Pregnancy Discrimination Act and the Family and Medical Leave Act to provide equal treatment based on gender while accommodating women's family obligations. She also worked on Supreme Court cases involving women's pension rights, pregnancy disability, sexual stereotyping and sexual harassment, and represented women academics in tenure disputes.

Nominated by President Clinton, Judge Berzon came onto the Ninth Circuit Court of Appeals in 2000 and maintains chambers in San Francisco. Notable among the many cases she has heard is *Hibbs v. Dept. of Human Resources*. She co-authored the 2001 opinion permitting suits against states under the Family and Medical Leave Act, which was upheld by the Supreme Court.

As noted by ABA Commission on Women in the Profession in its luncheon program:

“Throughout her career, Judge Berzon has achieved legal breakthroughs that have improved the lives of women across all economic strata and has served as a mentor, model, friend, and supporter of women lawyers across the country.”

The U.S. Court of Appeals for the Ninth Circuit Court hears appeals of cases decided by federal trial courts in Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, and Washington, plus the U.S. Territory of Guam and the Commonwealth of the Northern Mariana Islands. In 2006, the court reported 13,828 appeals filed.

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